Historic, archived document

Do not assume content reflects current scientific knowledge, policies, or practices.

1.9
In3M

UNITED STATES DEPARTMENT OF AGRICULTURE
Director of Information
Washington August 20, 1936

MEMORANDUM TO BUREAU CHIEFS AND EDITORS

LIBRARY
RECEIVED
DEC 1 1936
U. S. Department of Agriculture

Subject: Legal Status of Duplicating Work in the U. S. Department of Agriculture.

A recent decision of the Comptroller General clears up the long-standing question of the legality of various kinds of duplicated work. I am sending you a copy of the decision in full, but because of the importance of this decision I think it deserves some comment from this office, so that you may be guided in making future requests for duplicated work.

As you may know, the General Accounting Office within the last three or four months has held up payment on a large number of vouchers, covering duplicating machines, repair parts, and accessories used in duplicating processes. The reason invariably given was that the purchase of duplicating equipment by the Executive departments was an infringement on the basic printing laws of January 12, 1895 and March 1, 1919, which declare that all printing for the Executive departments shall be done at the Government Printing Office. The assumption in these suspensions has been that duplicating work is a form of printing, and therefore not a proper function of the Executive departments.

The accompanying decision does much to clear up the confusion that has arisen from the rather large number of suspended vouchers. At the same time it establishes very definite limitations, and warns of penalties if the limitations are exceeded. The Comptroller recognizes two functions -- and only two -- for duplicating machines. One is as a substitute for the typewriter. The other is as a substitute for the printing press. The first function is legitimate. The latter is not.

I am glad the Comptroller based his decision on the character of the work performed rather than upon the kind of machine used. This is the view consistently held by this office in deciding what kind of work may properly be duplicated. For this reason this Department will probably not have as great a difficulty as some in meeting the requirements laid down in the new decision. We must remember, however, that this decision does not enumerate specifically the jobs that may legally be duplicated. It leaves this to administrative officers of the various departments. Fine points and borderline cases must be decided in each department, and the penalty for overstepping the bounds is to have held up all appropriations that have any bearing on the duplicated work in question. We have a definite responsibility to see that our duplicating plant is not used as a substitute for the Government Printing Office. Each bureau can help by carefully considering each request for duplicated work. Is it material that ordinarily would be printed? Following are some of the factors to consider:

(1) How would the job be done if we had no duplicating facilities?

This may seem somewhat far-fetched, but it strikes at the heart of the problem. If the job is one that would be printed in the absence of duplicating machines it must be printed now. If, on the other hand, it is a job that would never be printed under any circumstances, it may properly be duplicated. (Press releases, crop reports, circular letters, routine instructions to field forces, etc. would not be printed under any circumstances.)

(2) The type of machine used, while not particularly important in itself, is sometimes a rough guide in answering whether the process is a substitute for printing or a substitute for typewriting. Thus: the mimeograph machine, using as it does a simple stencil cut on the typewriter, may be used fairly liberally without raising the presumption that the material ordinarily would be printed. However, even this simple process could be carried too far. If we attempted to mimeograph 25,000 copies of a pamphlet for distribution to the public, the subject matter being similar to that contained in Farmers' Bulletins, I believe we would be violating the intent of the decision, because it would be the kind of material that is ordinarily printed.

The multigraph machine presents much more of a problem, because it uses type, and is therefore capable of being used more advantageously than the mimeograph to do work that would ordinarily be printed. I think we will have to limit the use of multigraph machines to work that could be done on the mimeograph, but which, because of the size of the edition, can be done more efficiently by multigraph. This would include circular letters, and a limited number of other jobs entirely for use within the Department.

The multilith machine presents still another problem. Because it is such a useful machine for reproducing matter that would be done by typewriter it has grown in popularity. Its ability to reproduce tabular matter, charts, line drawings, and photographs makes it indispensable for many jobs that are entirely legitimate. The danger lies in the temptation to overwork this machine. While not as efficient as printing for large editions, the multilith process nevertheless does lend itself to use for many jobs that would ordinarily be printed. It even does an excellent job of reproducing printed matter, a type of work clearly outside our authority. For these reasons the Office of Information shall examine critically all requests for multilithed work.

(3) Is the job for distribution to the public, or is it administrative material, entirely for the use of department employees? The answer to this question will often help to decide if a job should be duplicated. As a general rule all material for public dissemination must be printed. The mere fact that a job is for use within the Department does not always mean that it may be duplicated, although in many instances it is a legitimate argument in favor of duplication. An exception to this general rule is periodicals. Even though these do not go outside the Department, we would not attempt to duplicate the periodical "Crops and Markets". Another exception is standard and department forms. These are used within the Department but they are clearly "printing" as defined by the Acting Comptroller General.

(4) How large an edition is needed? The Comptroller's recent decision makes it clear that the number of copies needed does not change the inherent nature of a job. If it is legitimate to duplicate 100 copies it remains legitimate for 1,000 copies. However, common sense tells us that there is a point beyond which it is much cheaper to print than to duplicate. Therefore, as a working rule I think we will be wise to limit the size of orders for duplicating. If the copies ordered run beyond a reasonable number we may discover that we have a printing job, rather than a duplicating job.

In most of the bureaus all requests for duplicated work clear through the office of the editor. It would be extremely helpful to the Office of Information if this practice were made uniform in all bureaus.

Sincerely yours,

M. S. Eisenhower,
Director of Information.

(Enclosure)